

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS**

**IN RE PHARMACEUTICAL INDUSTRY  
AVERAGE WHOLESALE PRICE  
LITIGATION**

**THIS DOCUMENT RELATES TO:**

**THE CITY OF NEW YORK,**

Plaintiff,

v.

**ABBOTT LABORATORIES, INC., *et al.*,**

Defendants.

**COUNTY OF ROCKLAND,**

Plaintiff,

v.

**ABBOTT LABORATORIES, INC., *et al.*,**

Defendants.

**COUNTY OF WESTCHESTER,**

Plaintiff,

v.

**ABBOTT LABORATORIES, INC., *et al.*,**

Defendants.

**MDL NO. 1456**

**Master File No.: 01-12257-PBS  
Judge Patti B. Saris**

**S.D.N.Y. Case No. 04-cv-06054**

**S.D.N.Y. Case No. 03-cv-7055**

**S.D.N.Y. Case No. 03-cv-6178**

**NOTICE OF APPEARANCE**

To the Clerk of the Above-Named Court:

Please take notice of the appearance of Scott A. Birnbaum, Robert N. Feldman, and Melissa M. Longo of the firm Birnbaum & Godkin, LLP. as local counsel for Defendant Ethex Corporation.

Respectfully submitted,

ETHEX CORPORATION

By its attorneys,

/s/ Scott A. Birnbaum  
Scott A. Birnbaum (BBO # 543834)  
Robert N. Feldman (BBO # 630734)  
Melissa M. Longo (BBO # 647649)  
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Dated: March 21, 2005

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing document was delivered on March 21, 2005 to all counsel of record by electronic service pursuant to the Court's Case Management Order No. 2.

/s/ Scott A. Birnbaum  
Scott A. Birnbaum